


## Category:

	<b>Policy Title:</b>	Adoption Selection Committee Policy			
	<b>Policy Number:</b>	Post-Custody Policy 003	<b>Version:</b>	1	<b>Effective Date:</b> 10/16/19

**Approved By:** YFS Operations Team

**Date:** 10/16/2019

## Overview

**Description:** The Adoption Selection Committee policy seeks to provide instruction around the way in which permanent placements and financial supports are determined and approved for children served by the Department of Social Services-Youth & Family Services Division (DSS-YFS) who have been legally cleared for adoption.

### **Purpose/Rationale:**

Adoption is the method provided by law to establish the legal relationship of the parent and child between persons who are not so related by birth, with the same mutual rights and obligations that exist between children and their birth parent. The primary purpose of adoption is to help children whose parents are incapable of assuming or continuing parental responsibilities to legally become part of a new permanent family. Agencies providing adoption services are charged with establishing permanence for children. In order for these services to be most effective, each staff member involved in the process must understand Systems of Care (SOC) principles and have the belief that an appropriate home can be found for any child who needs to be adopted and that the responsibility for establishing these placements rests with the agency.<sup>1</sup>

The purposes of the adoption selection committee are to confirm or select the adoptive family for a child and to determine the child's eligibility for adoption assistance.

Because this is a life-changing decision for a child, the Mecklenburg County Department of Social Services-Youth & Family Services Division seeks input from specific individuals who know the child. The adoption selection committee procedures set forth herein are intended to maximize the availability of information, utilize professional expertise, minimize or eliminate conflicts or interest, and promote the priority of making decisions based on the child's best interest.


Additionally, the adoption selection committee procedures are intended to protect the confidentiality of the prospective adoptive families under consideration.

**Applicability:** Frontline, supervisory, and managerial staff from Permanency Planning and

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<sup>1</sup> North Carolina Division of Social Services Manual, Chapter VI-Section 1300: Introduction

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Adoptions; Director & Deputy Director(s)

### Definition(s):

Adoption Services Units: Youth & Family Services units housed within the Resource Development Division that are responsible for providing recruitment and adoption placement services to children and families

Adoption Selection Committee: mechanism wherein children who are ready for adoption are staffed with a panel comprised of representatives of the Adoption, Post-Adoption, and Adoption Assistance service areas, and community stakeholders, in order to determine the family's eligibility for adoption assistance payments, as well as for moving forward with the legal process of adoption

Systems of Care: national standard of best practice to plan and deliver services to children and families with complex needs that is underpinned by the following principles: interagency collaboration, individualized strengths-based care, cultural competence, family and youth involvement, community-based services, and accountability to results

**Failure to Comply:** Failure to comply with this policy can result in lack of timely permanence for youth in care.

### Policy:


Adoption Selection Committee meetings must be scheduled, completed, and documented in accordance with the procedures outlined below.

### Procedure(s) that apply:

Prior to scheduling a case for review by the adoption committee, the following must be completed and documented: the current placement provider must be asked if he/she/they desire to adopt the child, and if so, he/she/they must be considered; each prospective adoptive family must have a current approved home study; all searches for relatives and fictive kin must be exhausted; and all Indian Child Welfare Act (ICWA) and Multi-ethnic Placement Act (MEPA) considerations must be satisfied.

Once these tasks are completed, the adoptions social worker shall schedule the case for review by the adoption committee. The adoptions social worker shall give ten (10) calendar days written notice of the meeting to the foster care/permanency planning social worker and/or supervisor and the Guardian *ad Litem* Program. Said notice shall include the adoptions social worker's name and telephone number. If the guardian *ad litem* desires to review the

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prospective adoptive families' home studies prior to the adoption committee meeting, he/she must contact the adoptions social worker at least three (3) business days prior to the meeting to arrange for a time to review the documents at DSS/YFS. If he/she fails to contact the adoptions social worker within the allotted time, he/she will forfeit his/her ability to do so. The contents of the home studies shall be kept confidential, and no copies can be made by any means whatsoever, including, but not limited to, taking photographs.

At the outset of the adoption committee meeting, everyone who is present shall be required to sign a document noting their attendance and agreeing to keep confidential the information they learn during the meeting.

A minimum of three persons are required to serve on the adoption committee, to include: a person in a management position in children's services; the child's foster care/permanency planning social worker or supervisor; and the child's adoptions social worker or supervisor.

In certain situations<sup>2</sup>, the following persons also should participate: a neutral facilitator; two or more community partners appointed by the adoptions program manager or her/his designee; and the child's guardian *ad litem*. Appointed community members must: be knowledgeable about adoption and permanency issues; be knowledgeable about the importance of lifelong family and cultural connections; and have no personal or current professional relationship to the child or the prospective adoptive families. The Guardian *ad Litem* Program should be afforded the opportunity to suggest persons they believe would be appropriate community partners to serve on the adoption committee. The adoptions program manager or her/his designee shall maintain a list of vetted community partners, who are willing to serve in this role. The community partners will be rotated in order to maximize their involvement. Community partners shall receive no monetary benefit or any other consideration for their participation.


While all who appear for the adoption committee meeting are encouraged to provide input, the facilitator and the guardian *ad litem* will not be allowed to vote on the selection of the child's adoptive family<sup>3</sup> and eligibility for adoption assistance. Those issues will be decided by

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<sup>2</sup> Examples include, but are not limited to: when two or more willing, appropriate prospective adoptive families have been identified, such as a relative and the current placement provider; when the child has extraordinary needs; and when there exists a potential conflict of interest for DSS/YFS.

<sup>3</sup> See NCDHHS-DSS, Adoptions in Child Welfare, Participant Workbook, July 2019, Page 73.

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majority vote of the remaining adoption committee members who are present for the meeting.

The adoption committee will meet once per week. If someone who is invited does not attend, the committee will convene in their absence.

When selecting an adoptive family, the following criteria should be considered:

The family's ability to meet the physical, emotional, and mental health needs of the child;

The compatibility between the child's personal characteristics and the expectations of all members of the adoptive family;

The specific experiences and training the family has had that prepares it to provide for the special needs the child may have;

The resources in the family's community that are available to meet the child's special needs;

The degree to which the family is willing to initiate and participate in medical and therapeutic treatment, if the child is in need of such; and

The degree to which the family can accept the child's need for contact with siblings and other birth and foster family members, if such a need is indicated.<sup>4</sup>

DSS/YFS shall notify the child's guardian *ad litem* and current placement provider of the selection of the adoptive family within ten (10) days of selection and before filing the adoption petition.<sup>5</sup>

If the guardian *ad litem* disagrees or if the current placement provider wants to adopt the child but was not selected, the guardian *ad litem* or the current placement provider may file a motion for judicial review within ten (10) days of the notification from DSS/YFS and schedule the motion for hearing on the next juvenile calendar. DSS/YFS shall provide a copy of a motion for judicial review of adoption selection to the current placement provider if the placement provider was not selected; however, it is the placement provider's responsibility to complete and file the motion.


DSS/YFS cannot change the child's placement to that of the prospective adoptive family unless

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<sup>4</sup> See NCDHHS-DSS, Adoptions in Child Welfare, Participant Workbook, July 2019, Page 73.

<sup>5</sup> N.C.G.S. § 7B-1112.1 (2017).

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the time to file the motion for judicial review has passed, and no motion was filed.

If a motion for judicial review is filed, the adoptions social worker shall contact the DSS/YFS managing attorney and the DSS/YFS attorney assigned to the child's case.

For purposes of a judicial review, the judge should consider the recommendations of DSS/YFS, the recommendations of the guardian *ad litem* and other facts related to the selection. The judge is tasked with determining if placement with the prospective adoptive family is consistent with the child's best interest. If the judge determines that the placement is not consistent with the child's best interest, the adoption petition shall not be filed, and the adoption committee must reconvene to make a new selection. If the current placement provider still is not selected, the process will start over.

### Form(s) that apply:

Notification Regarding the Selection of Adoptive Parent(s) to Foster Parent(s)

### Reference(s):

[North Carolina Division of Social Services Manual-Chapter VI: Adoption Services](#)

### Contact(s):

Adoptions Services Supervisors  
Senior Social Service Manager-Resource Development  
Policy & Practice Model Supervisor

### Policy History:

Developed 9/27/19.